

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 134

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION FEES; AMENDING SECTION 40-827, IDAHO CODE, TO DELETE A CERTAIN LIMITATION ON MOTOR VEHICLE REGISTRATION FEES AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 40-827, Idaho Code, be, and the same is hereby amended to read as follows:

40-827. AUTHORIZATION FOR VOTERS TO APPROVE VEHICLE REGISTRATION FEE. (1) Notwithstanding the provisions of section 49-207, Idaho Code, the voters of any county may authorize the board of county commissioners to adopt an ordinance by majority vote of the board of county commissioners to implement and collect a motor vehicle registration fee ~~not to exceed two (2) times the amount established in section 49-402, Idaho Code.~~ The authorization to adopt, implement, and collect a vehicle registration fee may be made by the registered voters of the county only at a general election and a simple majority of the votes cast on the question shall be necessary to authorize the fee.

(2) In any election, the ordinance submitted to the county voters shall: (a) state the exact rate of the fee; and (b) state the duration of the fee.

No rate shall be increased and no duration shall be extended without the approval of the voters, by a simple majority of the votes cast.

An election to approve or disapprove the adoption of a vehicle registration fee increase may be called for by the adoption of an ordinance by majority vote of the board of county commissioners or shall be called upon a request in writing from the governing board of each of the local highway jurisdictions in the county or ten ~~per cent~~ percent (10%) or more of the number of qualified voters voting in the last general election in each county commissioner subdistrict.

(3) Any county adopting an ordinance for a vehicle registration fee increase shall contract with the department for the collection, distribution, and administration of the fee in a like manner, and under the definitions, and rules, ~~and regulations~~ for the collection and administration of other registration fees as set forth in chapter 4, title 49, Idaho Code. Each month, following receipt by the department of revenues from the implementation of a vehicle registration fee increase, the department shall remit the same to the county implementing such fee, less a deduction for such amount for the department's actual costs for collection and administration of the fee, but not to exceed one and one-half ~~per cent~~ percent (1 1/2%). The increased vehicle registration fee shall not become part of the state highway account or the state highway distribution account.

(4) The local highway jurisdictions in the county shall use the funds generated by the increased vehicle registration fee exclusively for the construction, repair, maintenance, and

1 traffic supervision of the highways within their respective jurisdictions and the payment of  
2 interest and principal of obligations incurred for said purposes.

3 (5) Sections 49-404, 49-405, 49-408, 49-409, 49-410, 49-414, 49-415 and 49-416, Idaho  
4 Code, shall be subject to the provisions of this code section.

5 (6) Such funds generated from the optional vehicle registration fee increase shall  
6 be distributed as provided by written agreement approved by each of the local highway  
7 jurisdictions in the county or, if no agreement is adopted, as follows:

8 (a) Thirty ~~per cent~~ percent (30%) shall be apportioned among the cities, incorporated and  
9 specially chartered, in the county, in the same proportion as the population of the city  
10 bears to the total population of all the cities in the county, as shown by the last regular or  
11 special federal census.

12 (b) Seventy ~~per cent~~ percent (70%) shall be apportioned as follows:

13 (i) Twenty ~~per cent~~ percent (20%) shall be divided equally between the county  
14 highway department, where applicable, and each highway district in the county,  
15 where applicable;

16 (ii) Eighty ~~per cent~~ percent (80%) shall be divided between the county highway  
17 department where applicable, and each highway district in the county, where  
18 applicable, in the proportion that the number of miles of improved highways in  
19 each highway system of the county bears to the total number of improved miles  
20 of highways in the county.